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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
| 10/055,797 | 01/22/2002 | David Beach | 287000.127US1 | 7431 |
| 28089 | 7590 | 10/20/2008 | | |
| WILMERHALE/NEW YORK 399 PARK AVENUE NEW YORK, NY 10022 | | | EXAMINER CHONG, KIMBERLY | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 1635 | |
| | | | NOTIFICATION DATE | DELIVERY MODE |
| | | | 10/20/2008 | ELECTRONIC |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

michael.mathewson@wilmerhale.com
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Appeal Dismissed

Applicants filed a notice of appeal on 10/19/2007. In view of applicant's failure to file a brief within the time prescribed by 37 CFR 41.37(a)(1), the appeal stands dismissed and the proceedings as to the rejected claims are considered terminated. See 37 CFR 1.197(b).

Applicant's representative, Julia Grimes for Jane Love, informed the examiner on 09/26/2006 that no response has been filed in this application. The application is therefore abandoned.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly Chong whose telephone number is 571-272-3111. The examiner can normally be reached Monday thru Friday between 7-4 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James (Doug) Schultz can be reached at 571-272-0763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Kimberly Chong/
Examiner
Art Unit 1635